



Talbot County Planning Commission
Final Decision Summary

Wednesday, October 7, 2020 at 9:00 a.m.
Wye Oak Room, Talbot Community Center

Attendance:

Commission Members:

Lisa Ghezzi
Michael Strannahan
Paul Spies

Attended by Teleconference:
William Boicourt, Vice Chairman
Phillip "Chip" Councill - Absent

Staff:

Mary Kay Verdery, Planning Officer
Miguel Salinas, Assistant Planning Officer
Elisa Deflaux, Planner II
Maria Brophy, Planner II

1. Call to Order—Commissioner Strannahan called the meeting to order at 9:03 a.m. Commissioner Strannahan explained there were only (4) four members of the Commission present and that a tie vote is considered a negative vote. He stated that any applicant may choose to withdraw their application until the next month without penalty.

2. Decision Summary Review

September 2, 2020—The Commission noted the following corrections to the draft decision summary:

- a. Line 69 346/347 on previous summary add "on request"
- b. Line 105, 122 and 128 insert a paragraph break
- c. Line 349 insert square configuration
- d. Line 344 add " such as St. Peter and Paul's Family life Center and it is a gateway to Easton
- e. Line 363, 369, 374 correct to say "SP622"
- f. Line 382 correct to say Commissioner Councill

Commissioner Ghezzi moved to approve the September 2, 2020 Decision Summary, with amendments. Commissioner Spies seconded the motion. The motion carried (4-0) Phillip "Chip" Councill, Chairman absent.

3. Old Business—None

4. New Business

a. Applicant: Tilghman on the Chesapeake Land Development
File No.: L1341
Agent: Brett Ewing, Lane Engineering, LLC

Request: Sketch Major Revision Plat Approval
Location: Spinnaker Way, Tilghman MD 21671
Zoning: Map 44, Parcel 49; Zone: VM

Maria Brophy, Planner II, Planning & Zoning read the staff Report. The applicant is seeking Planning Commission approval of a Major Revision Plat - Sketch Plan to reconfigure "Phase V" of "Tilghman on the Chesapeake" Subdivision from 26 lots to 10 lots, and to abandon Topsail Court, Springline Court and Open Space for Stormwater Management. Should the Planning Commission approve the Sketch Major Revision Plan, staff recommends the following conditions:

1. The applicant shall make all necessary revisions to Spinnaker Way to comply with road standards.
2. The applicant shall take all of the required steps and acquire all necessary approvals, including any waivers necessary, or required for a Major Revision Plat as spelled out in the *Talbot County Code*.
3. The applicant shall comply with and address all TAC comments prior to Preliminary Plat Submittal.

Brett Ewing of Lane Engineering spoke on behalf of the applicant. He gave a brief summary of the project. The area originally had (26) twenty-six lots and is being reduce to (10) ten lots. The main purpose in doing this is to meet market demand. However, by reducing the number of lots the development will be updated to meet the current zoning code. This project has been in front of the Planning Commission before. The comments received from the Commissioners were taken into consideration and the project was redesigned. Commissioner Ghezzi inquired about the turn around point requirement. Mike Mertaugh, Public Works for Talbot County will be providing comments at a later date regarding the turn around point. Brett Ewing is aware of this issue. He stated that his company is working closely with Public Works on the roadway development. Commissioner Ghezzi thanked the applicant for addressing the prior comments from the Planning Commission and working with staff. Commissioner Boicourt wanted to know if there were any ideas for drainage. Brett Ewing stated that the drainage requirement would be met for each house. Mr. Ewing confirmed for Commissioner Strannahan that the roadway is going to be brought up to standards at the expense of the developer. The intention is to eventually turn the road over to Talbot County to be a public road.

Commissioner Ghezzi made a motion that the Planning Commission approve # L1341 Major Revision Plan – Sketch Plan for "Tilghman on the Chesapeake, Phase V", located at Spinnaker Way, Tilghman MD 21671; subject to staff conditions, Commissioner Spies seconded the motion. The motion carried (4-0) Phillip "Chip" Councill, Chairman absent

b. Applicant: McMiles, LLC
File No.: L1332
Agent: Sean Callahan, Lane Engineering, LLC
Request: Sketch Major Revision Plat Approval
Location: Rest Circle, Easton MD 21601
Zoning: Map 23, Grid 15, Parcel 16; Zone: RR

Elisa Deflaux, Planner II for Talbot County read the Staff Report. The applicant is seeking Planning Commission approval of a Major Revision Plat – Sketch Plan to propose a line revision between seven lots of record, Lots 43-49, with the abandonment of Lots 45 and 49. The remaining 5 buildable lots are intended to be served by public sewer pending approvals from the Maryland Department of the Environment and the Maryland Department of Planning. Should the Planning Commission approve the Sketch Major Revision Plan, staff recommends the following conditions:

1. The applicant shall take all of the required steps and acquire all necessary approvals, including any waivers necessary, or required for a Major Revision Plat as spelled out in the *Talbot County Code*.

2. The applicant shall comply with and address all additional TAC comments from the September 9, 2020 meeting prior to Preliminary Plat Submittal.

Sean Callahan of Lane Engineering spoke on behalf of the applicant. A brief summary of the project is to reduce the number of lots from (7) seven to (5) five. The largest lot would be a family lot. Each one of the four children would get one lot. The future intention would be for all of the children to eventually be on the property. Commissioner Ghezzi asked about inconsistency in the paperwork regarding the proposed and existing sewer allocations. Sean Callahan stated that at one point only (2) two lots had been approved and three were purposed, however today (5) five connections have been approved by County. They are just waiting for State level certifications. Commissioner Boicourt mentioned Resolution 283. It was his understanding that it was not intended to support new development in that area. Sean Callahan mentioned that the seven lots of record were wrapped into one deed. When the County investigated lots for the sewer connection they used tax parcels. The original sewer agreements allow properties that were missed to come back and ask for allocations.

Commissioner Spies made a motion that the Planning Commission approve # L1332 Major Revision Plan – Sketch Plan for McMiles, LLC, located at Rest Circle, Easton MD 21601; subject to staff conditions, Commissioner Ghezzi seconded the motion. The motion carried (4-0) Phillip “Chip” Cuncell, Chairman absent.

c. Applicant: Gary Blanche
File No.: MV38
Agent: N/A
Request: Minor Variance Recommendation
Location: 24030 Porters Creek Lane St Michaels MD 21663
Zoning: Map 22, Grid 6, Parcel 306; Zone: RR

Maria Brophy, Planner II, Planning & Zoning for Talbot County read the Staff report. The applicant is seeking Planning Commission recommendation for a Minor Variance to construct a 13’-6” x 33’-4½” pervious deck addition on the rear side (north side) of an existing single family dwelling and located no closer than 69’ from mean high water. Should the Planning Commission recommend approval of the Minor Variance, Staff recommends the following conditions:

1. The applicant shall apply for and receive approval of a Buffer Management Plan that complies with all requirements of the Critical Area Law.
2. The applicant shall execute a Pervious Deck Agreement prior to issuance of a Building Permit and shall comply with the standards of pervious construction and landscaping per the requirements of the agreement.
3. The applicant shall make an application to the Office of Permits and Inspections, and follow all rules, procedures, and construction timelines as outlined regarding new construction.
4. The applicant shall commence construction of the proposed improvements within eighteen (18) months from the date of the Planning Office's "Notice to Proceed".

Gary Blanche appeared in front of the Planning Commission. He gave a brief description of his project. All Commissioners agreed that this is a responsible request. There were no questions for this applicant.

Commissioner Spies moved that the Planning Commission recommend approval of Minor Variance # MV38 for Gary and Melinda Blanche to construct a pervious deck addition, located at 24030 Porters Creek Lane St Michaels MD 21663; subject to staff conditions. Commissioner Ghezzi seconded the motion. The motion carried (4-0) Phillip "Chip" Councill, Chairman absent.

d. Applicant: David Medford
File No.: MV34
Agent: N/A
Request: Minor Variance Recommendation
Location: 10445 Forest Gardens Rd Cordova MD 21625
Zoning: Map 19, Grid 7, Parcel 109; Zone: AC

Elisa Delaux, Environment Planner for Talbot County read the Staff Report. The applicant is seeking Planning Commission approval of a Minor Variance to reduce the required side yard setback from 50 feet to 43 feet to construct a garage. Should the Planning Commission recommend approval of the Minor Variance, Staff recommends the following conditions:

1. The applicant shall make an application to the Office of Permits and Inspections, and follow all rules, procedures, and construction timelines as outlined for new construction.
2. The applicant shall commence construction of the proposed improvements within eighteen (18) months from the date of the Planning Office's "Notice to Proceed".

Mr. Medford appeared in front of the Planning Commission. He gave a brief description of his project. He confirmed for Commissioner Ghezzi that the neighbor being affected is aware of this request. Commissioner Spies inquired about the starting point of the (43) forty-three feet. Mary Kay Verdery, Planning Officer confirmed that the (43) forty-three feet was to the property line. There were no further questions for this applicant.

Commissioner Spies moved that the Planning Commission recommend approval of the Minor Variance for David W. Medford to reduce the side yard setback to 43 feet for construction of a garage, located at 10445 Forest Gardens Rd Cordova MD 21625; subject to staff conditions, Commissioner Ghezzi seconded the motion. The motion carried (4-0) Phillip “Chip” Councell, Chairman absent.

5. Discussions Items—None

6. Staff Matters

a. Update on Floodplain and Community Rating System (CRS) program Greg Allis, Zoning and Floodplain Coordinator Talbot County gave a brief summary of the National Flood Insurance Program’s Community Rating System. Staff is pleased to announce that effective October 1, 2020, Talbot County’s unincorporated areas have been confirmed as a Class 7 in the CRS. This new class rating will result in a fifteen percent (15%) discount for all qualifying flood insurance policies issued or renewed on or after October 1, 2020 for properties in Talbot County’s unincorporated areas land located in a SFHA. Properties not located in SFHAs will continue to receive the same benefits as before. Commissioner Ghezzi asked about the process for homeowners to gain these benefits. Insurance companies are made aware of a communities rating through FEMA. Homeowners will automatically receive these benefits when their policies renew. Miguel Salinas, Assistant Planning Officer stated that the County will be releasing a press release with this information to inform our county residents. Mary Kay Verdery, Planning Officer for Talbot County gave information in regard to the county staff’s hard work in this process. Only a few communities participate in this program. Our involvement and success in this program allowed us to obtain a grant to purchase our online mapping service. This mapping service has many tools such as the ability to see our elevation certificates and flooding hazards. This program is beneficial to our citizens or anyone trying to purchase in our county. Commissioners express their appreciation on the hard work that the staff puts in to improve the life of our citizens.

b. Talbot County has hired a part time Assistant County Attorney. Her name is Renate Mattera and she is from Tilghman Island. We look forward to working with her.

c. We would like to honor Commissioner Boicourt as a contributing Commissioner. The interview will be submitted to the Maryland Planning Commissioner association and appear in their virtual meeting next month.

d. Mary Kay Verdery, Planning Officer for Talbot County will retire as of December 31, 2020. Planning Commissioners congratulated Mary Kay Verdery but agree that she will be missed.

7. Work Sessions—None

8. Commission Matters—None

9. Adjournment— Commissioner Strannahan adjourned the meeting at 10:07 am.